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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/818,158	03/14/97	ANDREWS	G R0996-141

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EXAMINER

VU, T

ART UNIT	PAPER NUMBER
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2756

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DATE MAILED:

02/02/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
08/818,158

Applicant(s)  
Andrews et al

Examiner  
Thong Vu

Group Art Unit  
2756



☒ Responsive to communication(s) filed on Nov 24, 1999

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 38-74 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 38-74 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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## DETAILED ACTION

### *Introduction*

1. This office action is in response to Amendment A filed Nov 24, 1999. Amended new claims 38-74 are pending. The objections and rejections cited are as state below

### *Response to Amendment*

2. Applicant's amendment filed Nov 24,1999 have been fully considered but they are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

Claims 38-74 are rejected under 35 U.S.C. § 102 [e] as being unpatentable over

Thompson et al [5,706,502]

As per claim 38, Thompson et al taught *a apparatus, at least one processor, a memory [Fig 2], a computer program residing in the memory or an off line browser program [col 1 line 57], said computer program commencing to download a file referencing [col 7 line 44] a plurality of components or web sites [col 3 line 26], said computer program dynamically prompting a user to select which of said plurality of components to download [col 4 line 47].* By this rationale claim 1 is rejected.

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As per claims 39 and 40, Thompson et al taught *Web browser application* [col 2 line 39], and *HTML document* [col 7 line 30]. By this rationale claims 39 and 40 are rejected.

As per claim 41, Thompson et al taught *the component download selection mechanism* or automatic download session [col 2 line 30] *dynamically creating a component download selection list* [col 2 line 53, col 3 line 26] *when said file with said plurality of components is download*. By this rationale claim 41 is rejected.

As per claim 42, Thompson et al taught *computer program comprises a web browser and wherein said component download selection list is formed in a second pane* [ Fig 3] *of said web browser and displayed with said file*. By this rationale claim 42 is rejected.

As per claim 43, Thompson et al taught *the component download selection list is formed in a dialog box* or menu button [col 5 line 47]. By this rationale claim 43 is rejected.

As per claim 44-47, Thompson et al taught *the component download list is inserted into said file and displayed* [col 10 lines 12-19]; file name [col 7 line 44]; type of components [col 10 line 17]; size of each components [col 4 line 24]. By this rationale claim 44-47 are rejected.

As per claim 48, Thompson et al taught *component download selection list includes a status item, said status item dynamically displaying the amount of each of said plurality of page components that has been downloaded* as the inherent features of Web sites content [col 7 line 64]. By this rationale claim 48 is rejected.

As per claim 49, Thompson et al taught *status item includes the percentage of a page component downloaded* [col 2 line 25]. By this rationale claim 49 is rejected.

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Claims 50-60 contain the same limitations that were addressed in rejecting claims 38-49 above. By the same rationale applied above, claims 50-60 are rejected.

As per claims 61 and 62, contain the same limitations that were addressed in rejecting claim 1 except the signal bearing media [col 4 line 41]. By the same rationale applied above, claim 61 and 62 are rejected.

As per claim 63, Thompson et al taught *a recordable media* or video cassette recorder [col 5 line 17]. By this rationale claim 63 is rejected.

As per claim 64, Thompson et al taught *a transmission media* or remote control unit [col 4 line 37]. By this rationale claim 64 is rejected.

Claims 65-72 contain the same limitations that were addressed in rejecting claims 39-48 above. By the same rationale applied above, claims 65-72 are rejected.

Claims 73,74 contain the same limitations that were addressed in rejecting claim 1 above except the embedded components or control program [col 3 line 24] By the same rationale applied above, claims 73,74 are rejected.

### ***Conclusion***

4. All claims are rejected.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-Liu , [5,953,005] System and method for on-line multimedia access

-Matthews III et al , [5,914,746] Virtual channels in subscriber interface units

-Pogrebisky et al , [5,958,008] Software system and associated methods for scanning and mapping dynamically-generated web documents

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- Willens , [5,889,958] Network access control system and process
- Bonnaure et al , [5,862,339] Client connects to an internet access provider using algorithm downloaded from a central server based upon client's desired criteria after disconnected from the server
- Kisor , [5,809,250] Methods for creating and sharing replayable modules representative of Web browsing session
- Huntsman , [5,801,689] Hypertext based remote graphic user interface control system
- Rosenberg et al , [5,956,484] Method and apparatus for providing force feedback over a computer network
- Herrmann , [5,995,756] System for internet-based delivery of computer applications
- Weinberg et al, [5,974,572] Software system and methods for generating a load test using a server access log

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (703) 305-4643. The examiner can normally be reached on Monday-Thursday from 6:30AM- 4:00PM. The examiner can also be reached on alternate Fridays during the same hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Frank Asta*, can be reached on (703) 305-3817 or via e-mail addressed to [*frank.asta@uspto.gov*]. The fax number for this Group is (703) 308-5358.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [*thong.vu@uspto.gov*].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

**Thong Vu**  
Jan 14, 2000

  
**FRANK J. ASTA**  
SUPERVISORY PATENT EXAMINER  
GROUP 2700